

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BEVERLY TILLMAN,)
Plaintiff,)
vs.) NO. 3:11cv30122-MAP
MICHAEL J. ASTRUE,)
Commissioner of Social)
Security Administration,)
Defendant.)

MOTION FOR REMAND AND ENTRY OF JUDGMENT
REVERSING THE COMMISSIONER'S DECISION

Now comes the defendant, by and through the undersigned attorney, pursuant to Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and requests the Court to reverse the Commissioner's decision, remand this case for further action, and enter judgment for the plaintiff pursuant to sentence four of 42 U.S.C. § 405(g).

As grounds for this motion, the defendant states that the Appeals Council has agreed to remand this case for further administrative proceedings. Upon remand, the Administrative Law Judge ("ALJ") will be instructed to further evaluate the severity of the plaintiff's mental impairments under 20 C.F.R. 416.920a(c); further evaluate her residual functional capacity; if warranted, obtain vocational expert evidence; and, if the plaintiff is found disabled, determine whether substance abuse is a contributing factor material to the determination of disability.

ALLOWED. This case is remanded with instructions to make the further evaluations specified in this motion. The remand shall go to a new ALJ. The clerk will enter judgment for plaintiff. This case may now be closed. So ordered. Michael B. Down 11/28/11 2:24:12